

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

RICHARD LEE WILLIAMS,

Plaintiff,

V.

CIVIL ACTION NO. 5:11-CV-319(MTT)

**PHYSICIAN'S ASSISTANT KILGORE,
WARDEN ROBERT TOOLE, et al.,**

Defendants.

ORDER

This matter is before the Court on Plaintiff Richard Lee Williams' Motion for Reconsideration. (Doc. 10). For the following reasons, the Motion is **DENIED**.

On September 23, 2011, the Court dismissed the Plaintiff's Complaint pursuant to 28 U.S.C. § 1915A for failing to state a claim upon which relief can be granted. (Doc. 6). The Plaintiff now asks the Court to reconsider its decision.¹ Pursuant to Local Rule 7.6, "Motions for Reconsideration shall not be filed as a matter of routine practice." M.D. Ga., L.R. 7.6. "Reconsideration is appropriate only if the movant demonstrates (1) that there has been an intervening change in the law, (2) that new evidence has been discovered which was not previously available to the parties in the exercise of due diligence, or (3) that the court made a clear error of law." *Bingham v. Nelson*, 2010 WL 339806, at *1 (M.D. Ga. 2010) (internal quotation marks and citation omitted). "In order

¹ The Court acknowledges that the Plaintiff also seeks leave to amend his initial complaint in order to adequately state a claim. A post-judgment Motion for Reconsideration is an improper mechanism to attempt to amend his complaint.

to demonstrate clear error, the party moving for reconsideration must do more than simply restate his prior arguments, and any arguments which the party inadvertently failed to raise earlier are deemed waived.” *McCoy v. Macon Water Authority*, 966 F.Supp. 1209, 1222-23 (M.D. Ga. 1997).

Here, the Plaintiff has not met his burden. He has alleged no intervening change in the law, has presented no new evidence not previously available to the parties, and the Court is not persuaded its previous ruling was clearly erroneous. Accordingly, the Plaintiff’s Motion for Reconsideration is **DENIED**. (Doc. 10).

SO ORDERED, this 1st day of March, 2012.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT